

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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SKAT,

Plaintiff,

Civil Action No.: 18-cv-04770

v.

THE ASTON ADVISORS  
and ROGER LEHMAN,

Defendants.  
----- X

**NOTICE OF UNOPPOSED  
MOTION BY JOHN M.  
HANAMIRIAN TO  
WITHDRAW AS COUNSEL OF  
RECORD FOR DEFENDANTS**

PLEASE TAKE NOTICE, that upon the annexed Affidavit of John M. Hanamirian, Esq., individually and on behalf of Hanamirian Law Firm, P.C., and upon all prior proceedings herein, counsel will move this Court before the Honorable Lewis A. Kaplan, United States District Judge for the Southern District of New York, on the \_\_\_\_ day of \_\_\_\_\_, 2018, at 9:30 o'clock in the forenoon of that day or as soon thereafter as counsel may be heard for:

1. An Order allowing the undersigned to withdraw as counsel of record for Defendants The Aston Advisors and Roger Lehman, pursuant to Local Rule 1.4 and Model Rules of Professional Conduct Rule 1.16. Plaintiffs do not object to this Motion and will not present an Opposition; and
2. Such other and further relief as the Court deems just and proper.

Dated: July 12, 2018  
New York, New York

  
\_\_\_\_\_  
John M. Hanamirian, Esq. (JH 6651)  
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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X  
SKAT,

Plaintiff,

Civil Action No.: 18-cv-04770

v.

THE ARIA PENSION PLAN  
and ROGER LEHMAN,

Defendants.  
----- X

**AFFIDAVIT OF JOHN M. HANAMIRIAN**

I, John M. Hanamirian, hereby affirm:

1. That I am a duly licensed attorney at law, appearing as counsel of record for Defendants The Aston Advisors and Roger Lehman in the above-captioned matter. Co-counsel in this matter is Mark Allison of Caplin & Drysdale, Chartered.
2. I am informed and believe, based on discussions with co-counsel and my clients, that my withdrawal at this time can be accomplished without any material adverse effect on the interests of my clients identified in the Rules of Professional Conduct 1.16 and Local Rule 1.4.
3. That the basis for my request to withdraw, is a lack of communications with my client sufficient to represent them as counsel in this matter. I was engaged by a Luxemburg law firm that was directly engaged by the Defendants and my client, the law firm, despite repeated requests, would not provide the underlying Defendant's client files to me in advance of the First Initial Pre-Trial Conference.
4. As a result, I notified my client of my intent to withdraw and the reasons thereof and they did not object. Mr. Allison thereafter entered his appearance on behalf those clients.

I declare under the penalty of perjury based on my information and belief that the above is true and correct.

Executed this 12<sup>th</sup> day of July, 2018.



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**CERTIFICATE OF SERVICE**

On the 12<sup>th</sup> day of July, 2018, a copy of the foregoing Motion for Leave to Withdraw as Counsel by John M. Hanamirian and the accompanying Affidavit of John M. Hanamirian were filed electronically via the ECF System. Notice of this filing will be sent to the following parties by the ECF system.

Honorable Lewis Kaplan, United States District Judge

William R. MacGuire, Esquire  
Marc A. Weinstein, Esquire  
Sarah L. Cave, Esquire  
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*Co-counsel to Defendants*



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John M. Hanamirian, Esq.